

Remarks/Arguments:

Claims 1-51 are pending in the application. Claims 18, 37-47, and 51 stand withdrawn as directed to non-elected subject matter. Claims 1, 25, 26, 36, and 49 are amended herein without the addition of new matter. Support for the amendments can be found throughout the specification, for example, on page 8, lines 19-22, and page 9, lines 26-33.

The office action maintains the rejection of claims 1-17, 19-36, and 48-50 under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Pat. No. 6,458,386 to Schacht. Applicants respectfully traverse the rejection.

As amended, the claims recite that the bioactive agent and complexing agent are joined. Thus, the complex is formed due to a chemical interaction that links the bioactive agent to the complexing agent. Schacht does not teach or suggest such a complex.

Schacht describes a gelatin-based matrix that can be used as a wound dressing (see, e.g., col. 6, lines 30-34). Bioactive agents can be mixed with gelatin in the liquid phase, resulting in intercalation of the agents in the space of the gelatin protein lattice once the gelatin solidifies (see, e.g., col. 6, lines 16-21 and lines 55-57, and col. 11, lines 30-48: describing the gelatin matrix as "containing" active agents, and describing how to intercalate the agent of choice into a gelatin matrix). Schacht does not, however, teach or suggest to join bioactive agents to the gelatin. Those of skill in the art would not equate intercalating a bioactive agent in the space of a gelatin protein lattice with joining the bioactive agent to the gelatin molecules. Thus, the claimed compositions are distinguishable from the compositions described by Schacht. Accordingly, Schacht does not anticipate the claims.

Applicants request entry of the amendments submitted herewith, and reconsideration and withdrawal of the rejection in light of the amendments and arguments presented. A Notice of Allowance is requested.

Respectfully submitted,
/Brian A. Cocca/

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